

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN LOWRY et al.,

Plaintiffs,

-v-

GABRIEL EDELMAN et al.,

Defendants.

21-CV-7861 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

In this case, familiarity with which is assumed, Magistrate Judge Wang issued an initial Report and Recommendation noting that Plaintiffs had “not provided competent evidence to support their damages claimed.” ECF No. 224, at 21. The Court then issued an Order clarifying that it would treat the Report and Recommendation “as recommending denial of any damages award unless Plaintiffs file timely objections *together with adequate evidence* to substantiate the provisionally recommended damages award” and noting that “[i]n any such filing, Plaintiffs shall address why the Court should entertain new evidence at this stage of litigation,” ECF No. 225. After Plaintiffs filed objections styled as motions for reconsideration and new documentary evidence, the undersigned re-referred the matter to Magistrate Judge Wang for a new Report and Recommendation. In its Order, dated March 1, 2024, the Court was explicit that, with one narrow exception not relevant here, “**the record is now closed** and no further submissions will be accepted or considered.” ECF No. 232, at 2 (emphasis added).

Magistrate Judge Wang’s Supplemental Report and Recommendation, issued yesterday, ECF No. 234, “continue[s] to recommend a denial of any award in light of Plaintiffs’ haphazard and incomplete filings” but offers a “provisional recommendation . . . in the event Plaintiffs proffer more evidence of payments to the entity Defendants,” *id.* at 10 n.8. Plaintiffs may of course file written objections to the Supplemental Report and Recommendation by the deadline, but the Court reiterates that, per its Order of March 1, 2024, **the record is now closed.** **Accordingly, the parties may not file any new evidence; if they do file new evidence, the Court will not consider it.** Additionally, in light of the history of this case, Plaintiffs should **not** expect any extensions of the deadline to file objections.

SO ORDERED.

Dated: March 14, 2024  
New York, New York

  
JESSE M. FURMAN  
United States District Judge